

REMARKS

This paper is being filed in response to the Office Action mailed January 26, 2005, having a shortened statutory response period ending on April 26, 2005. This paper is timely filed within the statutory response period.

Claims 27-37 and 44-57 are pending in this application. Claims 1-26 and 39-43 have been canceled. New claims 56-57 have been added.

Claims 27-33 and 35-55 were rejected under 35 U.S.C. §102(e) for allegedly being anticipated by U.S. Patent No. 6,007,529 to Gustafsson et al. (*Gustafsson*). Claim 34 was rejected under 35 U.S.C. § 103(a) for allegedly being obvious over *Gustafsson*. Applicants respectfully disagree with and traverse these rejections for the reasons set forth below.

Gustafsson has no teaching or suggestion of a container that contains a lipid component that includes the specific compounds as recited in independent claims 27, 46, 48, 50, 52, and 54, for example. In fact, *Gustafsson* is wholly silent regarding the presence of any trace amounts of the components recited in these claims (*i.e.*, a semi-volatile compound [claim 27], di-butyl-ethylphenol [claim 46], crown ether [claim 48], etc.). *Gustafsson* merely discloses the free fatty acid and lysophosphatidyl choline content of a lipid emulsion within a container. Consequently, *Gustafsson* has no disclosure whatsoever directed to the specific compounds present in the lipid component as recited in these claims.

Moreover, *Gustafsson* has no disclosure whatsoever directed to a container having a body composed of an ethylene vinyl acetate layer as recited in claim 44. Rather, the *Gustafsson* container is composed of a polyolefin inner sealant layer and a polyester outer layer. *Gustafsson*, col. 6 line 54 through col. 7 line 42. Wholly lacking from the *Gustafsson* container is an ethylene vinyl acetate layer.

In view of the foregoing remarks, Applicants submit that claims 27-37 and 44-57 are in a condition for allowance and respectfully request notice of the same.

Respectfully submitted,
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